

SANFORD BATES
DIRECTOR

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON

October 19, 1935.

Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Foxworth
Mr. Harbo
Mr. Joseph
Mr. Keith
Mr. Lester
Mr. Quinn
Mr. Schilder
Mr. Tamm
Mr. Tracy

MEMORANDUM FOR THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Emrich

I have the report of Agent F.E. Wright relative *source 67*
to the conspiracy to receive and send contraband out of
the United States Penitentiary at Atlanta, Georgia
and the manuscript purporting to be the story of Al
Capone's life in the Atlanta Penitentiary. I hope
you will be able to locate the authors of this manuscript.

Sanford Bates
Director.

RECORDED

NOV 14 1935

*Letter filed
11/3/35
W.H.*

62-39128-24	
FEDERAL BUREAU OF INVESTIGATION	
NOV 9 1935 A.M.	
U. S. DEPARTMENT OF JUSTICE	
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RECEIVED

November 11, 1935

62-39128-24

RECORDED

Special Agent in Charge,
Baltimore, Md.

RE: ALPHONSE CAPONE with aliases,
et al; Conspiracy to Receive
and Send Contraband out of the
United States Penitentiary,
Atlanta, Georgia

Dear Sir:

Reference is made to the report of Special Agent
F. L. Wright, dated at New York City September 23, 1935,
which sets out leads for your office requesting certain in-
vestigation at Baltimore, Maryland.

The Bureau desires that these leads be given ex-
peditions and vigorous attention in an effort to locate F.
Barrett, the supposed author of the manuscript concerning
Al Capone.

Very truly yours,

John Edgar Hoover,
Director.

COMMUNICATIONS SECTION
MAILED

NOV 13 1935

P. M.

FEDERAL BUREAU OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

Al Capone

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

December 18, 1935.

EFE:ER
62-39128
3:00 P.M.

MEMORANDUM FOR MR. TAMM

Re: ALPHONSE CAPONE with aliases, et al; Conspiracy to Receive and Send Contraband out of the United States Penitentiary, Atlanta, Georgia.

During a telephonic conversation with Mr. Hickey, Acting Special Agent in Charge of the Washington Field Office, in connection with another matter, I inquired of him as to the progress that was being made in the above-entitled case and as to whether Agent Traub, who is working on the case in Baltimore, Maryland, has been successful in locating the author of the manuscript concerning Alphonse Capone's life in the Atlanta Penitentiary.

Mr. Hickey stated he had received no report from Agent Traub on this case recently but that he believes Traub is still endeavoring to locate the author. I informed him that the Bureau is anxious to complete this investigation at an early date. Mr. Hickey stated that he would make a notation thereof and would instruct Agent Traub to give same early attention.

Respectfully,

E. F. Enrich

E. F. Enrich.

RECORDED
&
INDEXED

DEC 21 1935

62-39128-25	
FEDERAL BUREAU OF INVESTIGATION	
DEC 20 1935 P.M.	
U. S. DEPARTMENT OF JUSTICE	
TAMM	FILE

62-2696.

ALPHONSE CAPONE, N.A., ET AL.
CONSPIRACY TO RECEIVE AND SEND
CONTRABAND OUT OF THE U. S.
PENITENTIARY, ATLANTA, GA.

It is not felt that this case has received the attention it should receive. There are leads outstanding in the reports of 7/29/35 and 9/23/35, which have not been covered or reported on. Your attention is directed to Bureau letter dated November 13th, asking that you give this case expeditious attention.

This case will be followed up with Agent Trumb, and he will be instructed to give it preferred attention.

INDEXED
mw

Washington Field Office,
Inspector J. S. Egan.
December 30, 1935.

62-39128	
FEDERAL BUREAU OF INVESTIGATION	
JAN 7 1936	
TWO	FILE

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **WASHINGTON, D. C.**

FILE NO. **62-2696**

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 1/4/36	PERIOD FOR WHICH MADE 11/15-12/23/35	REPORT MADE BY E. W. TRAPP
TITLE ALPHONSE CAPONE, with aliases, et al;			CHARACTER OF CASE CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE UNITED STATES PENITENTIARY, ATLANTA, GA.
SYNOPSIS OF FACTS: <p style="margin-left: 40px;">Railway Express Agency unable to locate record of shipment for F. Barrett, 323 N. Fulton Avenue, Baltimore, Md. about June 26, 1935. U. S. Probation Officer interviewed advises Frank J. Guinan, a prisoner in the Atlanta Penitentiary wrote story "Remember Man" and furnishes specimen of Guinan's handwriting which is quite similar to writing of F. Barrett. Guinan's residence is 323 N. Fulton Avenue also. F. Barrett thought to be alias of Frank J. Guinan.</p> <p style="text-align: center;">- P -</p>			
REFERENCE: <p style="margin-left: 40px;">Report of Special Agent F. E. Wright, New York City, dated 9/23/35 and Bureau letter dated 11/13/35.</p>			
DETAILS: <p style="margin-left: 40px;">AT BALTIMORE, MARYLAND:</p> <p style="margin-left: 40px;">A thorough search of the records of the Railway Express Agency, Baltimore, Maryland was made by Mr. J. B. McLaughlin, Chief Clerk, but no record could be found of an express shipment or parcel on or about June 26, 1935 from Carl Brant in New York City to F. Barrett, 323 N. Fulton Avenue, Baltimore, Maryland. Mr. McLaughlin stated that no accurate record is kept by his office of incoming shipments and that it is quite possible that a shipment may come through without a record of the same being kept at his office.</p> <p style="margin-left: 40px;">Agent interviewed Mr. Richard Eddy, U. S. Probation Officer at Baltimore, who personally knows Frank J. Guinan, who is a prisoner in the U. S. Penitentiary at Atlanta, Georgia. Mr. Eddy states Guinan has informed him of</p>			
APPROVED AND FORWARDED: <i>[Signature]</i>		DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT		62-39128-26 JAN 7 - A.M. JAN 7 1936 JAN 10 1936	
2 - Bureau 2 - Atlanta 2 - New York 2 - Washington Field			
COPIES DESTROYED			
9-8 OCT-6 11934			

writing a story "Remember Man", and that while Guinan was a prisoner in the Atlanta Penitentiary (prior to his parole) was a stenographer or secretary to the record clerk of the institution, handling considerable prison correspondence. He states Guinan was paroled and came to Baltimore for a while and lived with his mother, Mrs. Lillie Guinan, 323 N. Fulton Avenue. Guinan was associating with one Carl Crawford, also an ex-convict and probable parole violator from another district. He states that when Frank J. Guinan and Carl Crawford were arrested at Kingsport, Tennessee, they were both held for the U. S. Marshal, and that both Guinan and Crawford were returned to the Penitentiary. He states that Guinan went to the Atlanta Penitentiary, but that he is not certain what prison Crawford was sent to, and that he is not sure that Crawford was the prisoner's correct name. Guinan wrote Mr. Eddy from the Kingsport City Jail on several occasions, blaming Carl Crawford in being instrumental with causing his arrest.

Mr. Eddy was of the opinion that F. Barrett was an alias of Frank J. Guinan, since the duties of "F. Barrett" as described in his letter to the Real Detective Story Magazine, dated April 29, 1935 stating in portion:

"In order that you may better comprehend the story I give you a brief outline of its origin. While incarcerated in Atlanta I was secretary to the Record Clerk. In such position I had access to all correspondence and records and was cognizant of every incident that occurred within the walls, not alone concerning Capone, but confidential matters between the prison and the Department of Justice in Washington".

Mr. Eddy states that the duties of Frank J. Guinan when in the Atlanta Penitentiary were reported to be stenographer or secretary to the Record Clerk; that Frank J. Guinan made his home after his release at 323 N. Fulton Avenue, Baltimore, Maryland, where his mother still resides.

Mr. Eddy furnished Agent with six pages of a letter written by Frank J. Guinan to him from the Kingsport City Jail, Kingsport, Tennessee and the writing of Guinan is quite similar to the letter written by "F. Barrett" on May 27, 1935. A photostatic copy of this and other letters written by "F. Barrett" were forwarded to the Washington Field Office by the New York Office on 10/14/35. The letters with the exception of the one written on May 27, 1935 were forwarded.

The Washington Field Office is requesting the Laboratory to make an examination of the letter written by F. Barrett on May 27, 1935 to the Real Detective Story Magazine in New York, and the letter of Frank J. Guinan to U. S. Probation Officer Eddy at Baltimore be examined for the purpose of ascertaining whether Guinan wrote the letter signed F. Barrett. Since the writing of Guinan and Barrett look quite similar, and both of these persons

are reported to have lived at the same address in Baltimore, and both persons are reported to have written stories and occupied similar positions in the Atlanta Penitentiary in the Record Office, this examination appears necessary.

For the information of the Atlanta Office, not receiving previous reports in this matter; Sometime in May, 1935, one "F. Barrett" called at the Real Detective Story Magazine, 444 Madison Avenue, New York City, offering to sell a manuscript entitled "Biography of Al Capone's Life in the Atlanta Penitentiary", supporting the same with newspaper clippings, photographs of inmates of the penitentiary, scenes of the institution, correspondence, and what appeared to be official records of the penitentiary. "F. Barrett" gave his address as 323 N. Fulton Avenue, Baltimore, Maryland, and wrote letters supposedly from the Baltimore address to the publishers in New York. The manuscript was returned to "F. Barrett" supposedly by the express company. Investigation at the Fulton Street address in Baltimore was made, and this was found to be the residence of Frank J. Guinan, now in the Atlanta Penitentiary. No "F. Barrett" could be found to have ever lived here. Guinan, who was on parole from the Atlanta Penitentiary, was later arrested at Kingsport, Tennessee, with one Carl Crawford. Both were held for the U. S. Marshal. Guinan was returned to the Atlanta Penitentiary. Crawford's place of confinement is also thought to be the Atlanta Penitentiary.

A comparison of the description of F. Barrett, set forth in report of Special Agent F. E. Wright of the New York Office dated 9/23/35, and with the description of Frank J. Guinan in report of Agent Truett E. Rowe, Nashville Tennessee, dated 8/27/35 appears close. They are as follows:

<u>F. Barrett.</u>		<u>Frank J. Guinan.</u>	
Age	- 38		35
Height	- 5'7		5'7
Weight	- Unknown		125
Hair	- Straight, brown.		Dark brown
Eyes	- Unknown		Gray or light blue
Build	- Slight		Slender
Complexion	- Tan		Buddy
Features	- Boyish, weak-looking face		Clean shaven
Residence	- 323 N. Fulton Avenue, Balto., Md.		323 N. Fulton Ave., Balto. !

Efforts will be made to obtain a recent photograph of Guinan from the Atlanta Penitentiary, also a photograph of Carl Crawford, in order that the same may be submitted to the Real Detective Story Magazine by the New York Office to learn whether Guinan was the person who presented the manuscript, or whether he sent Carl Crawford into the offices of the editor of the publication.

Agent conducted further discreet inquiry in the vicinity of 323 N. Fulton Avenue, Baltimore, Maryland which is the address of Mrs. Lillie Guinan, mother of Frank J. Guinan, but no information could be ascertained as to "F. Barrett".

UNDEVELOPED LEADS:

Atlanta Office:

Will interview Frank J. Guinan at the Atlanta Penitentiary. (Investigation should be held in abeyance until laboratory report is received.) In any event, Guinan should be questioned as to the identity of "F. Barrett" who received mail at his Baltimore residence. Should Guinan admit he is Barrett, ascertain disposition of manuscript and documents referred to above. Question Guinan as to the identity of Carl Crawford, and whether Crawford roomed with him at the Fulton Street address in Baltimore. Obtain recent photograph of Guinan, and also of Crawford, if available, sending same to New York Office.

New York Office:

Upon receipt of photographs from the Atlanta Office of Frank J. Guinan and Carl Crawford will exhibit the same to the proper persons at the Real Detective Story Magazine, 444 Madison Avenue, New York City.

- PENDING -

Division of Investigation

U. S. Department of Justice

Washington Field Office, Room 5252,
Washington, D. C.

January 7, 1936.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at 9th St. N. W.,
Washington, D. C.

Dear Sir:

RE: ALPHONSE CAPONE, with aliases,
et al. CONSPIRACY TO RECEIVE
AND SEND CONTRABAND OUT OF THE
UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

There is enclosed herewith a six page letter written by one Frank J. Guinan, a Federal prisoner, to Mr. Richard Eddy, U. S. Probation Officer at Baltimore, Maryland. A photostatic copy of another letter, written by one F. Barrett to a Mr. Mickman of the Real Detective Story Magazine, dated May 27, 1935 is also enclosed. It is requested that an examination be made of these letters for the purpose of ascertaining whether they were written by the same person.

Very truly yours,

J. M. KEITH, H.
Special Agent in Charge.

MDT:TC
Enc. ②
62-2696

RECORDED
&
INDEXED

FEDERAL BUREAU OF INVESTIGATION

JAN 9 1936

Copy and Specimens Retained in Laboratory

C.H.C. 1-9

Specimens
in above

62-28723

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9/14

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7615

Laboratory Report

Case: Re: ALPHONSE CAPONE, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA. Number: 62-59128-27

Specimens:
62-59128-27-A One photostatic copy of a letter to a Mr. Mickman beginning,
"Having heard nothing from you since my ..."
" B One six page letter to Mr. Eddy from a Frank J. Guinan
beginning, "I do not yet feel quite well enough to make ..."

Examination requested by: Washington Field Office, Washington, D. C.

chp 1-9-36 1:25 P.M.

Date received:

Examination requested: Document

Result of examination: Identical Examination by: Major (2)

? - I fear r make I Barrett
Known - dear r make I not rem h
? - pcript e re a before BB
Known - empty e re a ho f BB
? - y then eds and man Ca
Known - y then eds and man n Carl b
? - I I's very s d o o
Known - I large o s o o
both shall in s o o

Barrett
that
not rem h
at rev h
only 3 in entire
occasionally letter
murtly
murtly
unusual
variation
a before BB
ho f BB
man Ca
man n Carl b
thing

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7613

Laboratory Report

Case: Re: ALPHONSE CAPONE, with aliases, et al. Number: 62-39128-27
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Specimens:

- 62-39128-27-A One photostatic copy of a letter to a Mr. Mickman beginning,
"Having heard nothing from you since my ..."
" B One six page letter to Mr. Eddy from a Frank J. Guinan
beginning, "I do not yet feel quite well enough to make ..."

Examination requested by: Washington Field Office, Washington, D. C.

Date received: chp 1-9-36 1:25 P.M.

Examination requested: Document

Result of examination:

1/13 Examination by: Pickering (1

A k l n p s e h g you see

B k l n p p s s e h j yours see

Identical

BUREAU OF INVEST.
U. S. DEPARTMENT OF JUSTICE

7613

Laboratory Report

Case: RE ALPHONSE CAPONE, with aliases, et al.
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY,
ATLANTA, GEORGIA.

Number: 62-39128-27

Specimens:

- 62-39128-27 A One photostatic copy of a letter to a Mr. Michman beginning
"Having heard nothing from you since my ****".
" B One six page letter to Mr. Eddy from a Frank J. Guinan
beginning, "I do not yet feel quite well enough to make****".

Examination requested by: Washinton Field Off.

Date received: 1-9-36 1:25 PM chp

Examination requested: Document

Result of examination:

Examination by: Blackburn

file Rec'd 1/13

1/13

→ have ex
Capone's you P.D. know this
A. I fear I of I p things make my
B. dear I of I p things make my
prevents → of wish predicament this
Carl → his of you know ex
have

identical

C

SFP:ERG

all
x

January 14, 1936

RECORDED

62-39128 - 28

Special Agent in Charge,
Washington, D. C.

Re: Alphonse Capone, with aliases, et al.;
Conspiracy to Receive and send Contraband
out of the United States Penitentiary,
Atlanta, Georgia.

Dear Sir:

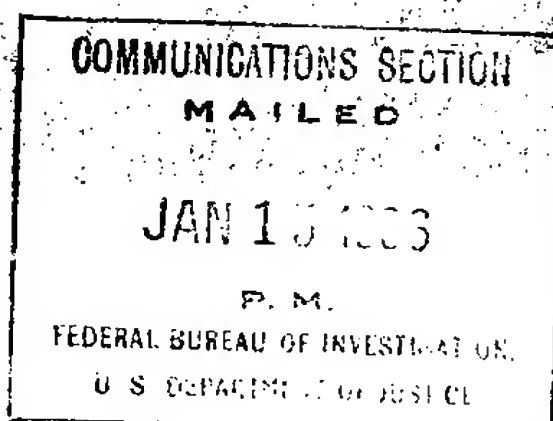
There is transmitted herewith the laboratory report
covering the examination of specimens submitted by your office
in connection with the above entitled matter and received in
the Bureau

January 9, 1936.

Very truly yours,

J. E. Hoover *ckp*
John Edgar Hoover,
Director. *S. J. P.
ing
R. H. L.*

Enclosure: #875974



SFP:ERG

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

7613

Laboratory Report

January 14, 1936

Case: Alphonse Capone, with aliases, et al.;
Conspiracy to receive and send Contraband
out of the United States Penitentiary,
Atlanta, Georgia.

Number: 62-39128-27

Specimens: 62-39128-27:

- A. One photostatic copy of a letter to a Mr. Mickman,
beginning "Having heard nothing from you since
my---".
- B. One six page letter to Mr. Eddy from a Frank J.
Guinan beginning "I do not yet feel quite well
enough to make---".

Examination requested by: Washington Field Office, Washington, D. C.

Date received: 1-9-36

Examination requested: Document

Result of examination: Examination by: Pickering

It is the opinion of the examiner, from a comparison of the photostatic copy of a letter to Mr. Mickman and the six page letter to Mr. Eddy, that these two letters were written by the same person.

1-Bureau
2-Washington
1-Laboratory

RECORDED

JAN 17 1936

62-39128-28

FEDERAL BUREAU OF INVESTIGATION

JAN 16 1936 P. M.

U. S. DEPARTMENT OF JUSTICE

Washington Field Office, Rm. 5252,
Washington, D. C.

January 20, 1936.

Special Agent in Charge,
Atlanta, Georgia.

RE: ALPHONSE CAPONE, WITH ALIASES, ET AL.;
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE UNITED STATES PENITENTIARY, ATLANTA,
GEORGIA.

Dear Sir:

Reference is made to the report of Special Agent M.D. Traub dated at Washington, D. C. January 4, 1936, setting out an undeveloped lead for your Office to interview Frank J. Guinan, at the Atlanta Penitentiary. You were requested to hold this lead in abeyance until a laboratory report was received.

There is being transmitted herewith a copy of the laboratory report, mentioned in the report of Special Agent M. D. Traub.

It is requested that the necessary investigation be conducted by your Office.

Very truly yours,

J. M. KEITH,
Special Agent in Charge.

HR:MBL
enc.
62-2696

cc-Bureau. ✓

62-39128
FEDERAL BUREAU OF INVESTIGATION
JAN 21 1936

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **ATLANTA**

FILE NO. **62-18 JV**

REPORT MADE AT Atlanta	DATE WHEN MADE 2-6-36	PERIOD FOR WHICH MADE 2-3-36	REPORT MADE BY W. M. BOTT
TITLE ALPHONSE CAPONE, with aliases, et al			CHARACTER OF CASE CONSPIRACY TO RECEIVE AND SEND CONTRABAND OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.
SYNOPSIS OF FACTS: <p style="margin-left: 40px;">Frank Joseph Guinan, #42507, U. S. Penitentiary, Atlanta, Ga., advised that he knows nothing of instant manuscript or of anyone by the name of F. Barrett. Guinan advised that Carl Crawford served a sentence in the United States Industrial Reformatory, Chillicothe, Ohio, but that the present whereabouts of Crawford are unknown. Photograph of Guinan secured.</p> <p style="text-align: center;">- P -</p> <p>REFERENCE: Report of Special Agent M. D. Traub, Washington, Field 1-4-36, and Bureau letter dated 12-10-35.</p> <p>DETAILS:</p> <div style="background-color: black; width: 100%; height: 150px; margin-top: 10px;"></div>			
APPROVED AND FORWARDED: <div style="text-align: center; margin-top: 10px;"> W. M. Bott </div>		SPECIAL AGENT IN CHARGE <div style="text-align: center; margin-top: 10px;"> W. M. Bott </div>	
COPIES OF THIS REPORT 2-Bureau 2-Washington Field 2-New York 2-Cincinnati 2-Atlanta		DO NOT WRITE IN THESE SPACES <div style="font-size: 2em; font-weight: bold; text-align: center;">62-39128-29</div> <div style="text-align: center; margin-top: 20px;">FEB 10 AM</div>	
COPIES DESTROYED 9 8 001 - 6 11204		<div style="text-align: right;"> FEB 10 1936 FEB 12 1936 </div>	

[REDACTED]

[REDACTED]

Bureau
of
Prisons

Agent interviewed Frank Joseph Guinan, U. S. P. #42507, who stated that he knows absolutely nothing concerning the preparation or attempted sale of any manuscript dealing with the prison activities of Alphonse Capone; that informant has never furnished any information regarding Capone to anyone else; that informant knows of no one by the name of F. Barrett and has never used this alias himself.

Continuing, Guinan stated that 323 N. Fulton Avenue, Baltimore, Maryland, is the address of his mother, with whom he resided during his period of parole, but that he is unable to explain the use of this address in connection with instant matter. Informant stated that if he had attempted to sell any manuscript that he would have been smart enough not to have used his mother's address.

Guinan stated that he knew all about the nature of this Agent's inquiry, because on August 18, 1935, an "agent of the Department of Justice" had interviewed informant in the City Jail at Kingsport, Tennessee, regarding informant's connection with a manuscript dealing with Capone's confinement in the Atlanta Penitentiary, and that informant had advised this particular agent that he (Guinan) knew nothing of the manuscript in question.

Guinan further stated that he had not been treated fairly by the Government on the matter of violating his parole and that consequently he did not intend to talk about anything.

Regarding Carl Crawford, informant stated that Crawford was returned as a parole violator to the U. S. Industrial Reformatory at Chillicothe, Ohio, last September and was released from that institution in December, 1935; that informant knows nothing concerning the present whereabouts of Crawford, who has never served time in the Atlanta Penitentiary; that Crawford is illiterate and can hardly write, and that Crawford never resided at 323 North Fulton Avenue, Baltimore, Maryland.

A photograph of Frank Joseph Guinan was secured from the Prison Records and is being forwarded to the New York City Office with copies of instant report.

UNDEVELOPED LEADS:

The NEW YORK CITY OFFICE is requested to display the photograph of Frank Joseph Guinan to the editors of the Real Detective Story Magazine to determine whether Guinan is the person who presented instant manuscript to the editors for publication.

The CINCINNATI OFFICE will secure a photograph of Carl Crawford from the Record Office of the U. S. Industrial Reformatory at Chillicothe, Ohio, and forward said photograph to the New York City Office in order that the picture of Crawford may also be displayed to the editors of the Real Detective Story Magazine. For the information of the Cincinnati Office, Crawford was sentenced in the U. S. District Court at Roanoke, Virginia, and it appears probable that he was sentenced on or about January 4, 1933.

- PENDING -

P. O. Box #766
Cincinnati, Ohio

HDM:MGR
62-995

1179
February 11, 1936.

Mr. Joseph W. Sanford, Superintendent,
U. S. Industrial Reformatory,
Chillicothe, Ohio.

Dear Mr. Sanford:

In connection with an investigation presently being conducted by this office, we desire to secure the photograph of one CARL CRANFORD. We have received information indicating that he was sentenced in the U. S. District Court at Roanoke, Va., to your institution. The date of this sentence is not definitely known, but it was probably about January 4, 1933. We are further informed that he was paroled from the Reformatory and was returned as a Parole Violator about September, 1935 and released about December, 1935.

From the above information will you please endeavor to identify the inmate in question and if he can be identified, will you please furnish me with a picture of this individual together with the correct information as to his sentence at the Reformatory.

Very truly yours,

E. J. CONNELLEY,
Special Agent in Charge.

CC Bureau.

RECORDED & INDEXED

Re: ALPHONSE CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

FEB 13 1936

62-59128-30

RECEIVED

FEB 12 1936 P.M.

DEPARTMENT OF JUSTICE

FILE

F. O. Box #766
Cincinnati, Ohio

HDM:JGR
62-995

February 15, 1936.

Special Agent in Charge,
New York, N.Y.

Re: ALPHONSE CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

Dear Sir:

Reference is made to the report of Special Agent
W. M. Bott dated at Atlanta, Ga., 2-6-36 in the above entitled
case.

In accordance with the lead in this report, there
has been secured from the United States Industrial Reformatory
at Chillicothe, Ohio, a photograph of one CARL CRAWFORD, which
is transmitted to your office herewith, in order that it may be
displayed to the Editors of the Real Detective story magazine.

For your further information the records of the
Reformatory indicate that Crawford was received there January 6, 1934
from Roanoke, Va., to serve a term of 18 months for counterfeiting
postal money orders. He had been sentenced on January 2, 1934.
Crawford was released conditionally on 3-16-35; re-committed as
a conditional release violator 8-31-35 and was discharged 12-16-35
by expiration of sentence.

Very truly yours,

CC Bureau
Atlanta
Washington F. O.

62-39128
SPECIAL AGENT IN CHARGE
FEB 15 1936

Federal Bureau of Investigation

U. S. Department of Justice

62-5552
FJM:AOB

Room 1403
370 Lexington Avenue
New York, N. Y.

February 18, 1936

Director
Federal Bureau of Investigation
Washington, D. C.

Re: ⁶Alphonse Capone, w.a., et al
Conspiracy to receive and
send contraband out of the
U.S. Penitentiary, Atlanta, Ga.

Dear Sir:

Incident to an investigation conducted by
Special Agent F. J. McArdle of this office, in an endeavor to
identify photographs of criminals with a person who, in May of
1935, endeavored to sell a manuscript to Robert W. Mickam,
editor-in-chief of the Real Detective Story Magazine, 444
Madison Avenue, New York City, Agent McArdle learned of Mr. Mickam's
great interest in the work of the Bureau.

Mr. Mickam for whom Agent McArdle, at one time,
wrote, and who is presently friendly with author friends of
Agent McArdle, was particularly interested in the F.B.I. Law
Enforcement Bulletin, and the possibility of obtaining photographs
of fugitives sought by the Bureau, apparently, with the idea in mind
of publishing a Rogue's Gallery of Fugitives in the Real Detective
Story Magazine.

Special Agent McArdle advises that he
explained to Mr. Mickam the nature of the F.B.I. Law Enforcement
Bulletin, something of its purpose and its achievements, and made
known to Mr. Mickam that it is a publication printed for the
circularization among law enforcement agencies throughout the country.
Mr. Mickam expressed the intention of communicating with the
Director, having as his objective being placed upon the Bureau's
mailing list to receive the F.B.I. Law Enforcement Bulletin.

Agent McArdle advised Mr. Mickam that that
was the procedure to be followed and agreed to allow Mr. Mickam to
mention in the latter's intended communication to the Director
the fact that Special Agent McArdle had explained something of the
nature and purpose of the F.B.I. Law Enforcement Bulletin.

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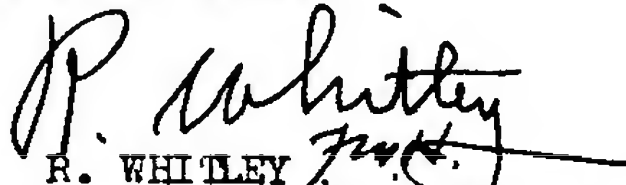
62-3928-31
JOSEPH RAY
FEB 19 1936 A.M.
TWO
DEPARTMENT OF JUSTICE

62-5552

Letter to Bureau
February 18, 1936

This agent informs me that his conversation with Mr. Mickam, in addition to that pertaining to the above mentioned investigation, was limited entirely to an explanation of the purpose of the F. B. I. Law Enforcement Bulletin and the material that makes up its contents. Other than to advise Mr. Mickam that the Bulletin was a law enforcement publication, Special Agent McArdle advises that he did not discuss the Bureau's policy regarding this or other publications.

Very truly yours,


R. WHITLEY
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1

THIS CASE ORIGINATED AT

WASHINGTON, D. C.

NY FILE NO. 62-5552 afob

REPORT MADE AT: NEW YORK CITY	DATE WHEN MADE: 2/19/36	PERIOD FOR WHICH MADE: 2/17/36	REPORT MADE BY: F. J. McARDLE
<p>TITLE: ALPHONSE CAPONE, with aliases, et al.</p>			
<p>SYNOPSIS OF FACTS: R. W. MICKAM, MISS RUTH SILVERMAN, MRS. ABRAMS, who ANN POLLOCK shown photographs of FRANK JOSEPH GUINAN and CARL CRAWFORD; failed to identify pictures with individual who, in May, 1935, offered for publication manuscript entitled "Biography of Al Capone's Life in Atlanta Penitentiary". RUC</p>			
<p>REFERENCE: Reports of Special Agents W. M. Bott, Atlanta, Ga., 2/6/36; M. D. Trumb, Washington, D.C., 1/4/36 and letter of Special Agent in Charge E. J. Connelley, Cincinnati, O., 2/13/36.</p>			
<p>DETAILS: At NEW YORK On February 17, 1936, the writer visited the offices of ROBERT W. MICKAM, Editor, Real Detective Story Magazine, 444 Madison Avenue, New York City, and displayed the photographs of FRANK GUINAN and CARL CRAWFORD in an effort to have MR. MICKAM, MISS RUTH SILVERMAN and MRS. ABRAMS, who is known also as ANN POLLOCK identify the persons.</p>			
<p>APPROVED AND FORWARDED: <i>P. Mulvaney</i> SPECIAL AGENT IN CHARGE</p>	<p>RECORDED AND INDEXED: FEB 21 1936 CHECKED OFF: FEB 28 1936 JACKETED:</p>		
<p>COPIES OF THIS REPORT FORWARDED TO: 3 Bureau 1 Cincinnati (information) 2 Wash. Field 1 Atlanta 2 N.York</p>	<p>BUREAU OF INVESTIGATION FEB 20 P.M. DEPARTMENT OF JUSTICE ROUTED TO: <i>FILE</i></p>		

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8 OCT 6 1964

62-5562

shown in the photograph with the individual who in May of 1935 endeavored to sell to the Real Detective Story Magazine a manuscript entitled "Biography of Al Capone's Life in Atlanta Penitentiary". MR. MICKAM admitted that his recollection of the "would-be author" was very hazy and MISS SILVERMAN and MISS POLLACK also admitted that their recollections were vague. The persons mentioned above were inclined to the belief that the photograph of CARL CRAWFORD does not resemble the "would-be author" sought in the current investigation. Their opinion concerning the possibility that FRANK GUINAN might have been the one who attempted to sell the above mentioned manuscript was less positive than that it was CRAWFORD, however, they were inclined to the belief that GUINAN is not the individual sought.

The three persons interviewed by the writer while not positive that the pictures shown them are not of the individual sought in the current investigation, they are inclined to the belief that the picture of CRAWFORD, and that of GUINAN are not pictures of the person who visited the Real Detective Story Magazine office in May of 1935, and left there the manuscript mentioned above.

There being no further investigative action to be conducted by the New York office, this report is

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

FEB 21
FEDERAL
OF INVESTIGATION
U. S. DEPT. OF JUSTICE

April 14, 1936

AR:ED
7-576

MEMORANDUM FOR MR. Tamm

Re: JOHN PATTON -

DEVELOP

In connection with the investigation conducted by Mr. Connelley while at Miami, Florida, it was originally ascertained that the Karpis contact in Florida was a former Mayor of Hannan, Illinois whose name was not known. Subsequent to that first information which was received on March 3, 1936, investigation was conducted by the Chicago, Illinois Office which disclosed that John Patton was the former Mayor of Hannan, Illinois and had been for approximately twenty-five years. He was originally termed "The Boy Mayor". Information was further obtained which indicated that Patton has for many years, been an influential member of the Capone syndicate of Chicago, and is reputed to be the wealthiest member of the syndicate.

During the course of the investigation conducted in Florida it was ascertained that he was either the owner of or had an interest in the Miami Beach Kennel Club and the dog track at Tampa, Florida.

Previous investigation at Hammond, Indiana and Calumet City, Illinois concerning William J. Harrison resulted in information that Robert McCullough was frequently in the company of John Patton and was considered as one of his bodyguards.

It further appears that John Patton has two sons attending [redacted] and a daughter who is married to a man named [redacted] who is reported as being employed by some department of the Federal Government as [redacted]. The indications are that [redacted] is presently living with her father and [redacted].

RECORDED
&
INDEXED

APR 27 1936

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62-39128-33
FEDERAL BUREAU OF INVESTIGATION

APR 22 1936 P. M.

U. S. DEPARTMENT OF JUSTICE

TAMM

ONE

FILE

Memo for Mr. Tamm

2

4-14-36

mother, Mr. and Mrs. John Patton at the Dallas Park, Miami, Florida.

From the information furnished relative to the description of John Patton, it does not appear that the criminal record furnished by the Identification Division on March 16, 1936, bearing #FBI-144308 is identical with the John Patton referred to herein.

Inasmuch as one Jack Gusik, John Patton and Robert McCallough were supposed to be in the company of one another, criminal records of the three were requested, however, the only two criminal records furnished by the Identification Division were those pertaining to Jack Gusik and John Patton. Gusik's criminal record is attached hereto.

In compliance with your request, I have directed a letter to the Jacksonville Office to determine the present location of John Patton and a request has been made of the Washington Field Office for the purpose of determining the particular branch of the Federal Government in which [redacted] is presently employed, if he is now in the Government employ. b7C

Respectfully,

A. Rosen

Enclosure

Post Office Box 812

Chicago, Illinois

May 2nd, 1936

Mr. T. G. Cooke,
Finger Print and Identification Magazine
1920 Sunnyside Avenue
Chicago, Illinois

Dear Sir:

In reply to your letter of May 1st, 1936
inquiring concerning the finger prints of Al Capone,
I would suggest that you communicate with the Internal
Revenue Bureau who prosecuted Capone for income tax
evasion. They will undoubtedly have prints of this
individual.

Very truly yours,

D. M. LADD
Special Agent in Charge

DML:LEN

cc - Bureau

62-39128	
FEDERAL BUREAU OF INVESTIGATION	
MAY 6 1936 A.M.	
U.S. DEPARTMENT OF JUSTICE	
TWO	FILE

IDENT UNIT

Bureau of In

U. S. Department of Justice
Washington Field Office, Room 5252,
Washington, D. C.

May 6, 1936.

Director,
Federal Bureau of Investigation,
Washington, D. C.

Re: ALPHONSE CAPONE with aliases, et al.,
CONSPIRACY TO RECEIVE AND SEND CONTRABAND
OUT OF THE U. S. PENITENTIARY, ATLANTA, GA.

Dear Sir:

A review of the file has been made in the
above entitled case which reflects that all logical
leads in this investigation have been exhausted. It
is requested that the Bureau grant authority to close
the file in this case.

Very truly yours,

J. M. Keith
J. M. KEITH, EKT
Special Agent in Charge.

EKT:IJ
62-2696

RECORDED

MAY 28 1936

62-39128-34	
FEDERAL BUREAU OF INVESTIGATION	
MAY 7 1936 A.M.	
U. S. DEPARTMENT OF JUSTICE	
TWO	FILE

Federal Bureau of Investigation

U. S. Department of Justice

501 Healey Building
Atlanta, Georgia

EEC:rd
62-18

May 15, 1936

Director
Federal Bureau of Investigation
Washington, D. C.

Re: ALPHONSE CAPONE with aliases, et al
Conspiracy to Receive and Send
Contraband Out of the United States
Penitentiary, Atlanta, Georgia

Dear Sir:

Reference is made to Bureau letter dated March 26, 1926,
regarding the manuscript entitled "The Biography of Al Capone's Life
in the Atlanta Penitentiary".

The copy of this manuscript was loaned by this office
to [REDACTED]

Bureau
of
Prisons

Retained 3/10/72 for
4-341 dated 3/4/72
TWS

RECORDED
&
INDEXED

MAY 19 1936

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62-39128-35

FEDERAL BUREAU OF INVESTIGATION

MAY 18 1936

TWO

EEC:rd
62-18

Director
5/15/36

Bureau
of
Prisons

[REDACTED]

[REDACTED]

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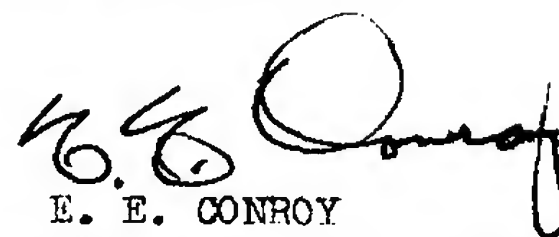
[REDACTED]

[REDACTED]

[REDACTED] in view of the fact that all the investigation which has been requested by the Bureau in instant matter has been completed without developing any evidence that Capone or others received or sent contraband out of the Atlanta Penitentiary; this case is being closed by the Atlanta Office.

The photostatic copy of the abovementioned manuscript is being returned to the Bureau.

Very truly yours,



E. E. CONROY
Special Agent in Charge

Encl.

39128-35



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IT IS MAY 4, 1932! The date is one that signifies little to the average individual. Yet, it is a day that the world's most pitiless figure shall never completely succeed in banishing from his memory. It is the day on which he was captured from the Throne of Gangdom to the Abyss of Heartaches! It is the day on which he passed through the grilled door of America's leading penal institution to become, in addition to a notorious gangster, a numbered man!

For, on that day, Al (Scarface) Capone stepped from a pullman to the station platform at Atlanta, Georgia, and was whisked hurriedly away by train, reprisal-fearing Government Deputy Marshals (who had endured a horrible ordeal since leaving Chicago until reaching the foreboding gates of the Atlanta Penitentiary and violating its atmosphere of refuge and safety).

Mr. Wesley, the front gate guard at the penitentiary, unlocks the barred gates. The deputies and their famous charge enter. Civilian employees, as well as convicts employed in the front offices, cease all activities to get a glimpse of Gangland's king before he is stripped of his sartorial elegance.

Capone wears an expensive dark blue suit, a silk shirt and silk tie. The brim of a gray felt hat is pulled down over his right eye. A smile -- it is a constant smile -- brightens his face. Beneath his expensive shirt his heart hangs heavy. He stands mute and wearily defeated, his manacled wrists extended to the Chief Deputy Marshal. The deputies hold a conference. The warden's advice is sought. He orders Capone shall be taken beyond the second gate before the "irons" are removed.

Capone is led into the Reception Hall -- a vestibule separating the administration building from the prison proper. It is about ten feet square. All incoming prisoners are arraigned here, lined up against the wall, and the Captain of the Watch calls their names and assigns each a number. It is a number that becomes part of the man's life -- a shadow that ever hovers near him.

Capone now stands regally alone. His eyes are upon him. He receives not to betray his feelings. The iron gates are carefully locked, the bracelets removed, and he begins brushing the wrinkles from his coat sleeves. He is ordered to remove his hat. He obeys, then straightens up. He is a

powerful specimen of manhood, his robust appearance all the more impressive as Captain Head, not quite five feet tall, reads the commitment spread on the stand before him. The scene brings to mind a woe-boding "I'll be at bay" . . . Goliath before the court of David.

"Alphonse Gabriel Capone!" Captain Head calls.

"Right!" booms Capone.

"Yes, sir!" reprovingly.

"Yes, sir," Capone humbly repeats, nodding his head.

"You will be known as Number Forty Thousand Eight Eighty."

Captain Head signals to the deputies his confirmation that the prisoner is Alphonse Gabriel Capone. He nods to a waiting guard who then leads Capone through a barred gate to the farther interior of the prison. The commitment upon which Capone was delivered, is taken to the Record Office by an inmate clerk, and approved by the Record Clerk as sufficient for acceptance of the prisoner. A receipt is issued and returned to the Chief Deputy Marshall.

And Capone becomes Convict Number 40886!

Let us follow Capone and the guard accompanying him. They enter the bath room, situated in the basement. It is approximately 500 feet long and 50 feet wide. On both sides are whitewashed brick stalls similar to those in which horses and cows are sheltered. There are two showers in each stall. Running down the center of the room is a line of wooden benches. The guard orders Capone to place everything contained in his clothes on a bench, disrobe, and then place his clothes beside the articles.

The first time Capone's hand emerges from his pants pockets it carries a huge wad of yellow-back bills. From a short distance they look to us as if they were \$100.00 bills. They may be \$1000.00 ones; we have seen neither for so long it is difficult for us to determine.

The next pocket excavation brings forth a wallet. From its stuffed appearance we conclude it contains bills of larger denomination.

Capone then removes loose change, his wrist watch, diamond rings and a platinum friendship bracelet. . . a present from Gus Winkler. The guard calls off each article as he examines and sets it aside for the clerk to slip into a canvas bag similar to a mail-bag. The inmate clerk calls back each article as the guard writes it down on a slip of paper.

"All right!" motions the guard with his club towards the showers.

"I don't be afraid to wash your head."

Capone stands mute. He does not like the tone of the guard's voice. The guard boldly gazes at the brutally beautiful physique before him. . . a cool, covered with long black, tortilla-like hair. The smile returns to Capone's lips. It seems it is carved there by the gods of fortune. . . the gods who had been so kind to him.

Capone's smile becomes as he turns towards the showers and slowly steps across the all-pervasive concrete floor. He bathes thoroughly, and after having completely obliterated all indications of an inmate doctor who makes a superficial physical examination, an ointment is freely applied to Capone's body. . . and to all other inmates (initial bath in the institution), and with a gentle click on the ramp the doctor laughs "O.K.!"

"I can't wear these shoes," he declares, extending his right foot and glancing contemptuously down at the shoe. From its worn appearance we conclude it has been more than frequently worn. His protest is ignored as the guard points toward the exit door. The superior officers have withdrawn and are now in conference.

Capone, followed by the guard, ascends the marble steps leading to the second floor of the administration building. Passing inmates turn and stare. (A violation of the rules).

"Capone!" their eyes seem to say.

We pass through a door over which is a sign: SENIOR WARDEN'S OFFICE. It is better known as the Morale Office, or, Welfare Department. The inmates impolitely and sarcastically refer to it as the "Detective Bureau". But, in truth, is what it is equivalent to.

However, as we pass through this office, on both sides of which are inmates using dictaphones and typewriters, we are aware it is noisy. It seems to be of a factory office. But a tomblike silence descends upon it as Capone steps into view. Typewriter noises cease. Plugs are pulled from the ears of the dictaphone operators. The Czar of Gangdom passes through! We wait - like to linger a few minutes to hear what the boys have to say, for there seems to be something amusing about the situation. A few crisp words, jocular banter, witty responses and they are again pecking at the typewriters.

We cross a wide passageway. It is like the Bridge of Sighs. Although it is inclosed within the prison and seems, as we look to the right and left, to be a point of vantage for the guards in the event of disturbances. To our right is "A" cell house; to the left, "B". Tier upon tier of cells! It is thrilling to glance at them as we pass over the "bridge". But where are we going? Some sort of office, we conclude, as we see steel filing cabinets in the distance.

"To the left!" commands the guard. Capone turns to the left. We, invisible behind him, see on an oaken door, in gilt letters: RECORD OFFICE. The Holy of Holies!!

"Sit down," orders the guard, his tone less brusque than when before his superiors. He points his club at the bench along the marble wall.

We are standing in a hall six feet in width. To Capone's right, we are aware, are several men in white. They evidently work in one of the offices at the other end of the hall, for as Capone raises his head to gaze at them they surreptitiously vanish - like children caught spying on their elders.

The guard enters the Record Office, leaving Capone to his reflections. The inmates in the Record Office, seeing Capone sitting outside, and naturally knowing he had arrived and they had been impatient to see him in the flash, whisper and murmur among themselves. One, known as "Tory", who has appointed himself "Interviewer", slips out into the hall, rests "His Majesty", and offers him a cigarette. Capone refuses. . . he does not smoke cigarettes.

The "Tory" returns, before further conversation is had between "Tory" and Capone. Capone is then escorted into the Holy of Holies - the Record Office. In this office are kept all the valuable papers of the institution, including the commitment upon which the prisoner is received, the prisoner's receipt for valuables and money confiscated after he enters; the official correspondence between Washington, the state prison and other institutions; letters, signifying certain inmates are "banned" by other institutions and officials; the conduct record covering each inmate's conduct while incarcerated, and his previous criminal record (which is presented to the parole board when it holds its tri-monthly meeting); prisoners' photographs, and numerous other documents of intrinsic value to the institution.

Following Capone into the private office of Mr. H. F. Baker, the Record Officer, we look upon the face of one who first impresses us as a Mongolian. His lips, also, yellowish skin covers a small broad face. The eyes, hidden behind spectacles, seem like dark, twinkling bits of coal; the eyebrows beneath a high forehead, are rarely perceptible. The unproctored brown hair upon his head tresses almost. There is a small brown mole upon his left cheek. His lips -- as he talks about him that seems to impress us most -- are thin and bloodless, and convey to us the picture of a cat who has just eaten a canary. A sure, self-satisfied, vanity, an egotistical outlook on life, and an assurance of a life-long position of influence, screen from his countenance. He holds, a poker player would conclude, four aces!

Mr. Bates is an excellent actor. He displays no emotion whatsoever as the eminent Mr. Capone is ushered in. Leaning across his desk he whispers to his subordinate, Mr. Barnes:

"Ask the boys to step out until I call them in again."

Mr. Barnes obeys, and the clerical force of inmates leaves the Record Office to linger and dally in the corridor and toilet.

Mr. Bates rises from his chair. In his hand are three copies of a declaration. It has been partially filled in by the inmate Receiving Clerk, the one who accepts the commitment from the Receiving Captain. He looks over Mr. Barnes' shoulder as he sits before a typewriter. Capone sits on his left. The guard whispers to Mr. Barnes.

"What is your name?" asks Mr. Bates. (The name is plainly written at the top of the declaration, yet, for the purpose of verification I must ask.)

"Capone."

"What is your full name?"

"Alphonse Gabriel Capone."

"Did you ever use any other name?"

"Yes."

"What name?"

"Costa."

"Did you ever use the name Brown? Or Costa?"

"Yes."

"How old are you?" smilingly.

"37."

"When were you born?"

"1898."

"For the purpose of violation of the Income Tax Laws, is

"Yes."

"On what day and at what office?"

"Yes."

8.

"You received a sentence of five years, to run concurrently with two consecutive sentences of five years each, and were fined \$30,000.00 and costs of \$7,617.51. Now . . ."

"Wait a minute!" protests Capone. "I got only ten years!"

"Well, that's right. The two five year sentences are consecutive, one following the other. The one five year sentence is to run concurrently with the first of the two five year sentences."

"That's all Greek to me. All is know is I got ten years to do, and the fine and costs to pay."

"That's correct," smiles Mr. Bates. "Now, you earn ten days a month good time, for good behavior. On your sentence, therefore, you will be entitled to 1200 days good time. You forfeit this, of course, at the discretion of the warden, for violation of certain rules. Now, let's see - - you were sentenced on October 24, 1931. Your sentence commences on May 4, 1932. You appealed your case, of course, and naturally, your sentence doesn't run until you are received here. Your full time expires May 3, 1942, but with allowances for good conduct, by earning the 1200 days good time, you may be released January 19, 1939.

"You are eligible for parole September 5, 1935.

"Now, Mr. Capone, what is your occupation?"

"Well - - I - - er - - ah . . ."

"What kind of work have you done mostly?"

"Well, I never did do much work, you know."

"You don't quite understand. What I want to know is, have you ever learned a trade, or anything like that?"

"Well, I've done a lot of gambling." Capone's broad smile brightens his features. Mr. Bates reflects the smile.

"Professional gambler?"

"Sure!"

(Mr. Bates types the answers as Capone gives them.)

"That's your regular occupation?"

"That's right."

"Not unemployed, of course?"

Capone smiles his answer. Mr. Bates types: "None."

"Now, how far did you go in school?"

"Oh, about the sixth grade."

"What age were you when you left school?"

Capone pondered. "Let's see. . . I guess about 12 or 13."

"What age were you when you left home to work for yourself?"

"I never left home."

"Well, what age were you when you first went away from home?"

You didn't live home all the time, did you?"

"Oh, I see. Well, I guess about 19."

"Where were you born?"

"New York."

"Where was your mother born?"

"Italy."

"Your father?"

"Italy."

"Are they living?"

"Mother is."

"You are married?"

"Sure!"

"Any children?"

"One."

"Boy or girl?"

"Boy."

"How many dependents?"

"Three."

"With your mother?"

"Yes." (Mr. Bates types: Two).

"Do you own any property?"

"Yes."

Opposite "Economic status" Mr. Bates types: "Marginal".

"Have you ever been in the Army, Navy or Marine Corps?"

"No."

"Now, where is your residence. That is, the place where

you make your home?"

"Chicago."

Opposite "Nearest Railroad Station" Mr. Bates types "Same".
Withdrawing the declarations from the machine Mr. Bates turns
them face down on the desk, places the carbons on the reverse sides and re-
inserts them in the machine.

"Now give me the names and ages and address of your living
relatives, mother, wife, brothers, children. . in that order."

Capone calls off the names, ages and addresses.

"Who would you want notified in case of serious illness or
death?"

Capone's breath catches in his throat. He cannot answer the
unexpected question as readily as he wishes to. His attitude of brazenness
deserts him.

Gulping, he answers, "My wife, of course."

"Now, Mr. Capone, how many times have you been arrested before?"

"Hell, I can't remember that."

"Well, about how many times?"

"I haven't any idea, to tell you the truth."

"Five. . ten. . fifteen?"

"I honestly don't know."

"Well, maybe we can get it this way. . . When was the first
time you were arrested?"

"Lemme see, now. Musta been 'bout fifteen years ago. 1919,

I think."

"Where?"

"New York."

"What for?"

"Disorderly conduct."

"and what disposition was made of the case?"

"Dismissed."

Mr. Bates then goes on with his cross-examination questioning
concerning Capone's record, eliciting from him, in a remarkably shrewd manner,
the admissions shown on the accompanying conduct record.

(When a prisoner, on questioning, does not admit any - or only a part - of his criminal record, the Bureau of Investigation, Department of Justice, Washington, D. C., furnishes whatever information it has upon receipt and filing of the prisoner's fingerprint card).

"This is authority for the warden to open and examine any mail directed to you. Now sign here." Mr. Bates removes the declaration, indicates a dotted line below a paragraph wherein the prisoner agrees to permit the warden to open and examine his mail, and directs him to notify a designated party in the event of serious illness or death.

Capone, pen in mid-air, his dark eyes scanning the printed paragraph, the livid scar grotesquely prominent on his left cheek, the fingers of his left hand holding the declaration steady, scribbles his famous autograph. . . an autograph worth more than a king's or president's!

Having signed the three copies he places the pen on the desk, relaxes and watches Mr. Bates, as he, as Record Clerk affixes his signature, attesting that he has read to Capone the paragraph referred to.

"If you'll step out here, now, I'll take your photograph," invites Mr. Bates, rising and proceeding Capone through the deserted office towards the Photograph Room. He closes the door leading from the corridor to the Record Office, having observed that some of the clerks were lounging near the door on the bench lately occupied by Capone. It is thought, too, that he feels a greater measure of safety, since the guard assigned to accompany Capone through the "mill" is still engrossed in conversation with Mr. Barnes instead of being within two feet of his charge.

Mr. Bates, of course, makes a mental note of that . . .

"Put on this coat," Mr. Bates hands Capone a prison coat.

Capone dons it. Mr. Bates buttons it high and attaches five numbers - 4 0 8 8 6 - in a tin holder pinned to the coat, beneath Capone's chin.

Drawing a large reflector from the corner, and placing it against a wooden stationery cabinet, then a chair in front of the reflector, he bids Capone be seated. Mr. Bates throws on the switch. The sudden glare of klieg lights causes Capone to close his eyes and blink. His head is lowered as he calmly watches Mr. Bates adjust the camera, poise his head under a black

cloth and peer through at him.

"Raise your head just a little. . . Look straight toward the camera. Don't smile! (The smile broadens....Carpone is on the verge of laughter). That's it! All right." He drops the red bulb.

Mr. Bates then walks over to the posed subject, removes the number holder, presses back the lapels of the prison coat, and gently turns Carpone around so that he may obtain a profile.

The smile lingers, the bulb is again pressed and Carpone's profile has been photographed.

Carpone's smiling visage to lighten the morbidness one feels basking upon the film, insolent, rebellious and hateful likenesses of those his photograph joins in the Rogue's Gallery!

Mr. Bates next fingerprints him, weighs him, takes his measurements and identifying marks.

"That's all," Carpone is informed. He rises and stands awkwardly in the center of the room. He does not know what is next. His eyes rove furtively about the room. He is caged! Imprisoned. And ten years stretch ahead of him in a forlorn, desolate world of enemies and intrigue. . . violence and conspiracy. . . Murder, even!

His thoughts now center on but one thing: Freedom! It is the natural thought predominating the mind of one who has ruthlessly decreed passion-

Silently we follow Capone to a small cell in which are two bunks. There is no other occupant. The cell is located on the fourth range - that is, three tiers of cells above the floor. The rangeman pulls a lever at the far end of the line of cells, and we hear the banging of iron doors and shrill grating of locks. Capone is now really a captive. All the machine guns in Chicago, he reflects, could not effect his release.

Seemingly lost and apparently ill, he drops dejectedly to the over-stuffed straw mattress. It is ten inches thick, hard and uncomfortable. He leans his head back against the cold sheet of iron separating him from the adjoining cell. His eyes close as his fingers prayerfully clasp in his lap.

What next? he wonders.

He makes a futile attempt to sleep, but the unusual treatment he has experienced has completely disturbed his system. He believes, though without concentration, a hypodermic might produce relief.

He has hardly resigned himself to his position when the rangeman comes along and places a slip on the cell door. Capone reaches up, casually examines it and reads that he, No. 40886, is to report immediately after breakfast on the morrow, at "B" cell house.

Some more red tape, he meditates, indifferently placing the slip in the pocket of his new, stiff blue work shirt.

The day drags wearily by. With the exception of a small booklet titled "Rules and Regulations" there is nothing to read. He turns the pages idly, becomes interested, and is soon buried deep in the contents of the booklet.

Sleep eventually overtakes him. He is aroused from his nap by the clanging of a bell somewhere in the huge cell house. There is a muttering and commotion. A "break", he wonders. Doors are loudly slammed as the rangeman, almost simultaneously, bears down on the levers releasing the locks and opening the rusty barred doors. His door, too, opens. He sees men passing by. Some walk with arms around a buddy's shoulder. Others file by singly, or run to catch up with a friend. Many glance in at the new arrival.

Every man in the prison has long since learned he has arrived. The grapevine system is a remarkable one, it taking (as tests have proved) exactly two minutes for a message to be sent from one of the main cell houses to the far end of the Duck Mill, a distance of three city squares, interspersed with at least fifteen watchful guards at various points between, and the

distance including several buildings through which the message must pass. In other words, a grapevine message originating in the forward depths of the S. S. Leviathan - supposing it were a prison - would reach the party intended for on the after-deck, after it had passed through the depths aft, midships, then to the bow, and back to the stern - using neither pencil, paper nor telephone.

A better idea of the effectiveness and reliability of the grapevine can be obtained by observing the left wing of the Administration Building (in the left background of the aerial photograph) and the baseball diamond in the right foreground. Such a distance would require three to five minutes.

With this in mind one can better comprehend the situations that develop with the progress of the narrative.

"Come on, buddy," someone calls to Capone as he looks out at the passing convicts. "Chow!"

He realizes, with a stabbing pain in the stomach, that he is hungry! Strange, he reflects, that he hadn't given food a thought! He steps out into the passing line, his broad smile exhibiting two rows of perfectly white teeth, his thick lower lip thinned by the radiance of his smile.

Knowing not which way to turn, except to follow the others, he finds himself, in single file, entering the Dining Hall. It is an immense room, broad and high. Tall columns, painted battleship gray, reach up to the ceiling above. There are rows after rows of what seem small white enamel counters. A line of men, entering on his right, have been seated in rows of eight; then, in the next section, rows of six. They seem to file in endlessly. Four hundred. Five hundred. Six hundred. Twelve hundred. Thirteen hundred. On and on! The place is not large enough to hold all. It is necessary to have three breakfasts, three dinners, three suppers each day in order to feed all the inmates. The Dining Hall seats approximately sixteen hundred. There are more than twenty-five hundred inmates in the institution.

Capone, sandwiched between a "hill-billy" and a car thief, though practically starved barely tastes the kidney beans and slaw for which he had passed his plate. One elbow rests on the counter-like table; his chin is cupped in his hand. His stomach cries for food, but his "delicate system will not stand this!"

"Is this all we get?" he asks the car thief.

"Stewed prunes there," answers the car thief, pointing to an aluminum saucer of canned "magpies" as he shovels into his mouth a fork laden with kidney beans. "Black coffee, too. 'S not bad when ya get used to it."

Capone shudders. His stomach somersaults. The poised fork drops to the plate of kidney beans.

"Say, feller," offers the mountaineer, "now when I first cum hear I couldn't eat much 'cause I was sorta upset inside, you know. Anyhow, I made out on that hair moonshine. That's purty good 'shine, brother."

Capone follows his informer's gaze to the aluminum molasses container. He looks at the men beyond the two between whom he is sandwiched. Some seem to be relishing bread and moonshine. Well, when a kid and hungry he liked it, he reflects. Perhaps it might satisfy now. Yes, that does the work! He finishes one slice of bread smothered in moonshine; then another, and still another. He forces down the weak, chicory coffee without sugar or cream -- which are not furnished except at the morning meal, with cereal.

Before he has quite sated his appetite a bell is rung by an inmate who stands on a platform facing the prisoners. The signal is received from the Dining Hall Guard, who continually walks up and down the aisles dividing the sections, in search of contraband food, which contrary to the most rigid observance and discipline, reaches the prisoners. The last to enter the Dining Hall are the last to leave, thus giving late arrivals sufficient time to eat, the early arrivals eating immediately the live entrees and is seated. Getting each batch of prisoners requires six to eight minutes. Thus, those reaching the Dining Hall eight minutes after the others, have the opportunity, while the others are leaving, to complete their meal. All, however, do not always finish in the allotted time; but finished or unfinished, they must leave as their row files out.

He now became impatient to see what Capone shall do with his leisure. It is now 5:30 P.M. He is again locked in his cell. He hears voices from other cells, arguing, humming and talking. Whistling is forbidden.

Six P. M. A bell clangs! What can that be, he wonders?

Immediately, as though each had been patiently waiting the signal to start, the music (and racket) of banjos, trombones, saxophones, guitars, etc., fill the cell house. Some hill-billy sings a plaintive mountain song. . . He's heard that before, Capone recalls. Yes, it's "When They Cut Down the Old Pine Tree". A faraway look comes into his eyes. His arms are folded across his chest, the sleeves of his shirt rolled up, exposing his brawny, hairy arms. Capone, apparently, is lost in reverie brought on by the words and music of the mountain singer.

There goes that beginner again! Someone attempting to learn to play the trombone. The harsh, long-drawn out wail grates on Capone's nerves. He rises, forgetting there is an upper bunk, and bumps his head on it. He curses audibly. . . angrily. . . resentfully!

"What's matter? Don't you like our serenade?" Capone, feeling an alibi would sound silly, ignores the remark from the adjoining cell. The caller, however, passes the word on that Capone cursed the musicians. The preparatory message is received in the three other cell houses - A, B and D (the latter housing negroes).

and negroes love music!

At first there is a disturbing murmur in "C". It increases to a wailing. . . a many-voice complaint. . . Yells, individual and collective, follow. One, at its bedlam broke loose, approximately 2500 prisoners give Capone a collective caption he shall ever remember. . . The Bronx Cheer, in all its tongue; the more disgusting "razzberry"; then a prolonged, unquelled chorus of "f---" regarding the inmates' disdain and contempt for Capone and his staff. Believing, of course, he had actually cursed the musicians and their music.

Guards are lifted high and brought down destructively on wash basins. . . . The pieces are carefully aimed at the tempting windows beyond. Glass crashes to the right. . . to the left! Each cell house is in a turmoil! Guards dare not attempt to pacify them lest they invite being struck with flying missiles.

(During exhibitions of this nature many an inmate evens the score with a disliked guard, his accurate aim usually hitting the bull's-eye. We face through each cell house with the Captain of the Evening

Watch, who shouts for silence. His commands are met with derision and "razzberries". Unable to do anything with the men, he decides to let them tire themselves out. "They usually do", he soliloquizes.

We look shockingly at the wreckage. The concrete floor is strewn with broken chair legs, chair backs, chair seats, cushions, mirrors, pillows, blankets, feathers, mattresses, cigar boxes, burning newspapers, and filth. The yellow tile walls are disfigured and shocking.

At 7:00 P.M. the radio is turned on. The men put on their ear-phones and the clamor subsides.

One hour of demonstration! One hour in Capone's life that he would give millions to have never lived through! For frankly, he had no thought but that his affability would win him many friends immediately. But, in prison, first impressions generally remain. Neither time nor coercion can induce a man to forget the attitude of another inmate when he first becomes one of them.

And Capone, of all men, received the most disgraceful and unwelcome reception accorded a prisoner in the history of the Atlanta Institution!

This morning we are up unusually early. After the first bell rings at 6:30 A.M. we are allowed thirty minutes to wash and dress. The second bell - the count bell - demands that we stand close behind the bars of our cell that the guards may count us as they pass. If anyone "bells up the count" by either unintentionally or deliberately concealing himself (which happens frequently), he is confined in the "hole" on bread and water. However, the count this morning is correct. At 7:15 A.M. (if correct) the steam whistle approves the count and a bell summons us to breakfast.

Again, close on the heels of Capone, we file into the Dining Hall. At this morning the breakfast is tempting! Oatmeal. . . as much as one can eat: a bowl of milk and a saucer of sugar. Also, cake, coffee, bread and butter.

But something is amiss. . . We are frightened at the silence that seems to press down upon the Dining Hall. There is usually much loud chatter, laughter and joking. True, the men are eating, but they do not seem to eat as much as usual. Let us look about and see what has drawn their attention.

Yes. . . Thousands of eyes! All directed towards Capone!

What a "good crowd" this is!

Capone, however, broods an air of indifference. His face is sealed. He is a fatalist. He cannot possibly know men. . . "What machine gun?"

Speechless, we gaze at his calm, unmovable face as he sits and eats and drinks his coffee. He is hungry, we agree, and while he thoughtfully gazes at him the bell rings and banishes our fancies.

Only glances are directed at Capone as we file out behind him. Leaving countenances convey utter contempt. Words, spat from the corners of grim lipped mouths, express the various opinions of the inmates. The "politicians" (white-collar clerical help - former bankers, lawyers, judges and postal employees) seem amused at the tense situation. They often "wish" for a real riot. In Capone's shirt pocket is a "7:30 call for 'B' cell house".

Wherever one may be called to he must first go to "B" cell house. Reaching there, after breakfast, he mingles with approximately two hundred men also on

call. Mr. Wrenn, the Captain's Clerk, enters. He weighs about 110 pounds, is thin-faced, black-eyed and reminds one of a ferret. There are ten to fifteen guards on hand, one of whom accompanies each batch of "bookies" to the various places calling them. Mr. Wrenn sings out the numbers. The man called must answer "here!" He then steps out from the huddle and moves into line, where with others, he waits until all the men on that particular cell are accounted for. A guard then leads them to their destination.

We hear "Forty Thousand Eight Eighty-six!"

"Here!" Capone responds.

We watch him join six or eight others. They stand in line, two abreast, like children ready to return to the school room after recess. Capone towers above those near him. A few more are called and that batch is sent on its way. We follow Capone, of course, since we are interested in him alone.

We are led to the hospital. There are numerous other newcomers there, some having arrived earlier and some later than Capone, on the preceding day. They seem so lost. . . so terribly helpless. . . forlorn. An assigned guard ushers them into an inmate interne who asks a number of ridiculous, meaningless questions to which he writes the answers before they are given. He seems to know the answers without asking for them.

Such absurd questions as "Did your grandfather ever have rheumatism?" "Was your grandfather rheumatic?" are shot at the bewildered newcomers. Your medical history is then complete - - according to the interne, at least you are either dying on your feet or should have died long ago!

We are crowded into the G. U. (Genito Urinary) Clinic. A blood test is taken. It is painful. Our blood pressure is taken. It, too, is painful. But less so than the test. We partially disrobe and are further examined. Everything is so methodical. . . so cursory.

We are then led to the E. E. I. & T. (Eye, Ear, Nose and Throat) Clinic. Our throats are tested. We need glasses. The inmate assistant tells us we do not. A must not! (The physician in charge is guided by his decision!) Then, our ears are examined and pronounced C. K. The inmate assistant looks

up our nostrils. Fortunately, we have no head cold. Then, placing a wooden spatula on our tongues, he peers down our throat. We feel like vomiting. He remarks that we are suffering from tonsillitis or sore throat. . . one guess is as good as another!

We watch Capone subject himself to these examinations. Yes, the inmate is more thoughtful of this patient. He is a famous character. He is a millionaire! And one cannot insult or injure the feelings of a millionaire, even though he is a convict in the penitentiary.

A cheery word speeds Capone out with us and to the chest and lung examination. We again disrobe. This time the upper garments are removed. We step upon a scale. We step off. That's it, now, take a deep breath. . . Now blow out. All right, another! That's it! The physician bidding us inhale and exhale mysteriously taps our chest. It seems like a lodge initiation. We are passed through as the doctor in charge calls off to an inmate the assortment of ailments the various men suffer.

Capone is next. He steps upon the scale. The doctor looks approvingly at the muscular figure with the overlapping belly. Humph, he humphs, he'll not have that long on the food he'll get here. Capone is examined to see if he has tuberculosis, affected lungs and what not. No, he hasn't even appendicitis, nor any indication of getting it. He is ahead of us as we enter the Dental Clinic.

Aw, hell! Gotta give your name and number again? Seems as though having it on your underwear, shirt and pants would be enough. But we're forever being asked what it is. We tell the interne. He writes it on a chart showing a set of upper and lower teeth. He looks at our teeth and calls out: "Filling" "Cap" "Crown" "False" "Missing" or whatever the molars disclose to his experienced eyes. Another interne "x's" the different symbols representing the foregoing definitions. And we are through here!

"I guess that's about all," Capone ventures to remark.

"Hell, no!" retorts a four-time loser. "I've been here too."

"Damn' often. I know. Well, you got the word. That's about all, I guess."

"Shove for that!" says the waiting cop.

"In your arm! Boy, do they hurt!?"

"This way!" someone calls. And, like cattle, we follow.

We are next subjected to a psychiatric examination; then a psychological test.

"That's the quack keeping Capone in there so long for?"

Someone asks.

"Good and goofy," is the reply.

"Must be. He's been in there forty-five minutes. We didn't stay over ten."

"Who's got 'im?"

"Dr. Heale, the nut examiner."

"Psychiatrist?"

"Si who?"

"Pipe down, buddy. Psychiatrist, I said."

"I don't want none of your lip, either, Brother. I said he's a nut examiner, and I still say he's a nut examiner. Si Ki! Si ----!"

he spits, eyes flashing.

Capone glides off and joins us again. Smiles wreathes his countenance. He murmurs something to a fellow prisoner who has been hanging close to him since we entered the hospital. A friend, perhaps, in the making.

"Now for the shots," the old-timer reminds us. We wonder what these "shots" are. However, we are on our way to get them.

And got them we do!

We line up. Ahead of us stand several internes, a female nurse, and a table littered with syringes, hypodermic needles and similar

Even Capone, the Mighty, was deathly sick from his "shot".

(This result is not unusual).

And now we are led back to our cells. Boy, do we appreciate the cells! That old, hard mattress is snuggled down to us as we flop, completely fatigued, upon it, and lose ourselves in sleep, reflection or letter writing.

Capone! The rangeman told the guard Capone wants a doctor.

Say, that guy can't take it, can he? Yeah, the doctor's coming now. He's in there with him. . . almost gee, I always thought a guard had to always stand by! Hell, the doctor's a civilian, isn't he? Don't you think the guard trusts him? I wonder what he's giving Capone? Sounds like they're whispering. Yes, that's just what they're doing! Ah, well, we'll know tomorrow, I guess. . .

We see now that Capone's long talk while confined with Dr.

Beale had some significance. Of course, we didn't dream that Capone would become ill (?) from the "shot" of typhoid vaccine. Most men do, it is true. But he seems so big, strong and powerful. One would think he could fight the nauseating feeling that follows the injection.

Around us men are yelling and talking to one another. It strikes us strange that this is permitted, but then, the guard is situated on a platform down in the corner of the insane, tile and steel cell house. It is quite apparent he does not hear everything going on.

And likewise apparent that he does not see everything going on.

At infrequent intervals he ascends the tier steps and walks along the range. More frequently he sneaks in the alley-way between the long line of cells, and through a small hole in the steel wall, peeps in at the occupant or occupants. Why he should do this in preference to looking directly in through the steel grating in the door, is not beyond our comprehension. They know, as do we, that an inmate is more likely to avoid misbehavior when being observed.

It occurs to us that Capone has been quite seriously ill. One does not, of course, select the cell he likes. In a jail cell is per-
missible. But not in the Atlanta Penitentiary.

Yet, this very thing is attempted by Capone, later. The
scandal it creates is worthy of comment. For Capone, at this very time,
is planning a conquest that has never been dreamed of by any inmate of
any penitentiary!

It is the morning of May 6th. Capone responds to another 7:30 "B" cell house call. As we follow him we turn to the right and climb a stairs. These stairs seem familiar. Yes, they're the stairs we ascended to reach the Record Office. But we do not go that far. We are halted outside the door to the Morale Office. We, like the others, sit on the bench or the floor, or lean indolently against the wall. Capone, we observe, the cynosure of all eyes, walks over to a far corner where he can feel the security of no one behind him. The smile lingers. It is a peculiar smile. It is a permanent smile, we conclude.

The men are now being called in individually. There goes Capone! Come, let's trail behind.

"40886?" asks Mr. Grover, Senior Warden's Assistant.

"Yes."

"How are you?" affably.

"Oh, so-so!"

Mr. Grover then delves into Capone's past, insofar as his morals are concerned. And the questions that Mr. Grover asks are indeed personal. However, equivocating and grunting answers drop restrainedly from Capone's lips. After all, Grover doesn't have to have truthful answers. But he does want to know to whom you are related. . . his information in this respect including nieces, nephews, cousins, aunts, uncles and in-laws; whereas Mr. Bates was content with the names of the immediate family. This, of course, Capone's inability to be analytical prevents his realizing it, is to prevent some friend or ex-convict later writing as Cousin Pete or Uncle Josh. Once you have given the names of your relatives, including all the branches and twigs on the family tree, you cannot address nor receive a letter from one whose name does not appear on the list of names given.

Well, Mr. Grover goes on. He wants to know how Capone's wife is. . . If she is able to support herself. Also, if the son is being supported by someone since his Dad is now in the "pen". If (it is absurd to think of it!) Capone is penniless - - like many others there - - he might be assigned work in the Duck Mill, where he could earn 30¢ a day making pants!

We are amused by the questions Mr. Grover asks Capone, and like Capone, reluctant to leave the little private office. However, there are other men waiting. Mr. Grover is a busy man. . . sometimes! And, with a tinge of regret we jump from our perch on the partition to the floor below, and march out beside Capone. Not one pair of eyes are directed anywhere except at his smiling countenance, as, like a gladiator of the ring who has defeated his opponent, he resumes his corner.

Soon this is all over. We follow Capone back to his cell. He sits on the wall-attached bunk. He lifts his pillow to beat a soft place in it. A package has been hidden beneath it. Well, what can that be? We ask, our eyes wide in curiosity. It certainly wasn't there when he made his bed this morning!

Capone feels the bundle. He is skeptical. It might be a bomb! It might be - - - Well, it might be anything, he thinks; and surely it is something! He cautiously unwraps it, holds it at arms' length and is as surprised as we are - - - For inclosed in the paper wrapping is the half of a baked chicken!

Chicken! How our mouths 'water' as Capone sinks his teeth into the end that went over the fence last!

There goes the stockade bell! Dinner over, we return unseen and unobserved to Capone's cell. We are now impatient to see how he acts on stockade. The little gift -- the morsel of chicken before dinner -- seems to have buoyed his spirits. If he can have chicken delivered to him, then why can't he have other things, he reasons? Perhaps while on stockade he will be accosted by the Good Samaritan or Santa Claus who was so thoughtful. Regardless of how he feels about going out. . . his qualms and fears, and the reception he is likely to receive --- perhaps a visible repetition of last night's reception and demonstration --- he must go. After all, there are guards here. How foolish, he realizes, that he kept his men out of the "pen". At a time like this they would have proved indeed encouraging.

We hang on to his shoulders as he lumbers down the incline to the stockade. It is an immense yard, reached after we have passed the laundry and Shoe Shop, the Deputy Warden's Office and Isolation Building, the Fire House, Commissary, Tailor Shop, and Spinning and Weaving Mills (Duck Mills) opposite each other. Down we go to the dirt and cinder compound. And for the first time we are aware that there is a towering wall rising skyward. On it are perched - at about 300 foot intervals - little blocks, in which are armed sentries. We learn they are actually looked in after they enter the door at the foot of the spiral stairway outside the wall, and there they remain until relieved eight hours later.

As we follow Capone's glance towards the blocks we hear a babel of voices greeting him. He is the center of a welcoming group of delegation. Among them we see the famous Dinty Colbeck, leader of Egan's St. Louis Rats. Dinty is doing 25 years for mail robbery. Then, close beside him is Dago Marquis, the firebug, doing 10 years for setting fire to government property. And look who's approaching! Joe Urbeztis. . . the man who is doing fifty years for mail robbery, and who, with five other convicts, covered the entire personnel of officers into submission in an attempted escape. The most daring in the history of the Atlanta institution! The hero of the institution - Joe Urbeztis. . . The bad man!

Al certainly gets a warm greeting. Even those standing yonder, representing the country's inveterate dope peddlers, car thieves, liquor runners, big-shot bootleggers, post office robbers, mail robbers, ship scoundrels, white

slave traffickers, bank embezzlers, lawyers, judges, postal law offenders, murderers and an infinitum, gaze on with varying emotions at the most notorious man in the world - Al Capone!

To think, they reflect, they have seen him in the flesh! And can touch him! But . . . dare not write him about him. What cruel censorship!

"Where's the tennis courts?" asks Capone.

"Up here. Come on," suggests one of his admirers.

He follows his informant, in turn being followed by a motley horde of others, all anxious to be among the first to make an impression on him and have his friendship during his incarceration.

"Pretty good courts," he approves.

"Yes, they are, Al," recommends an unknown. "We've got two ball diamonds, too. One over there at the end of the yard, and this one here. Then there's a handball court down the other end, and a place for basketball. And that over there, you know, is the prize fight ring. We have bouts on holidays, you know. And movies on Saturdays and Sundays, too. One day two cell houses can go, or go to the yard. And the next day the other two, and the dormitories and basement crowd - - the politicians."

"Politicians?" Al repeats.

"Yes, they are the white shirt guys. You've seen 'em in the Dining Hall. . . all eat together. They've got the soft jobs, you know. So they stay in the basement, where they can take showers any time, and can walk around like in a college. We gotta stay in the cells, you see? Well, they don't be confined like that. So we call them politicians."

Capone's mind is suddenly filled with desire for the basement. It must be a swell place! And he'd be in with intelligent, educated - and perhaps influential men. Influential insofar as "knowing men in Washington" is concerned.

"How do ya get in the basement?"

"You gotta be assigned there by Schmoezle."

"Schmoezle?" questioningly.

"The Def."

"Oh!" understandingly.

"Well, you ought to make it, Al. If anybody can, you can."

Write him an interview slip and ask him."

"Well, maybe later," Al condescends.

"See that old guy playing tennis over there? Well, he's the best tennis player here. Old Man Pennfield. Doing twenty years for robbing widows and orphans. He's about sixty now, and ain't been here so long."

"Aw, hell. I could beat him playing." Capone's remark is tinged with derision. "Who's the little fellow playing with him? He's good."

"That's Chip Robinson. He's Dinty Colbeck's lieutenant. Boy, can he use a machine gun! He's doing 25, too. Hackethal, down in the Officer's Mess - - he's doing 25 on the same rap. So is Dietemeyer, his brother-in-law. He's in the kitchen. They all came together. You know them?"

"Yes, I know Dinty and Chippy. But I don't know the other two."

"Look, see that fat blonde guy standing about twenty feet behind me, looking at us? Don't turn now -- he's looking. Well, that's Hackethal. He's the bird you want to get next to. He has charge of the Officer's Mess, under Fenters, the civilian. Hackethal can get you anything you want to eat. . . pro- viding you pay, of course. You'll learn that anything you get done in here, which is against rules and regulations, is gotta be paid for. But it's worth it."

"Look! See these pants? See the crease in them? Well, ONE CARTON A MONTH! That's what I pay to have them pressed by a 'jig' (nigger) in the laundry. You gotta be careful, though, for you can't pay anything to a guy in front of a guard. Bring it on the yard, and give it to someone to give to whoever it is for. That's the best way."

"Say, Al," examining the extra large shirt and tight pants on Capone, "you oughta get some decent rags. That stuff's beloney! Wait a minute. . . I'll get a guy who'll fix you up. Aw, hell. . . there's Head watching me. Captain Head. . . I'm gonna scream. See you later!"

The talkative, willing abettor walks off and is lost in the group watching the ball game. His eyes search out and find Captain Head still standing on the spot where he last saw him. Maybe, he regrets, he wasn't watching him after all. Well, better not take a chance. No use going to the "hole" for nothing.

"Hello Al," greets Hackethal.

"Hello," Capone answers the unknown greeter.

"How'r ya makin' it?"

"Not so bad."

"Ja got the chicken?"

"Did you send it?" surprisingly.

"Thought you might want something decent. The show on the

main line's fierce. You'll never make it on that."

"No, I don't think I can. But how in Hell can I - -?"

"Let me worry about that. If you want it your worries are

over. I'll do the rest."

Capone extends his hand and Hackethal clasps it warmly.

"Sure appreciate it, Buddy," Capone smiles.

Hackethal smiles his pleasure. "Hackethal's the name. Frank

Hackethal. Friend of Dinty's."

"That's Dinty do here?" Capone asks.

"They got him on the radio. . . in the control room. Morale

operator, too. Also, in the Catholic Chaplain's office."

"Pretty busy, I'd think. All that."

"Yeah, keeps him busy, all right."

"That do ya think you'll be assigned to?"

"Don't know, tell the truth. There aint a damned thing I

know how to do."

"Maybe they want put you to work. Every man has something to do, though. In about three weeks you'll know. You first got to go the rounds. . . the Record Office, Morale Office, Chaplain's Office, Educational Department and so on. Then, when you're about played out, they assign you to some job."

"Well, I'll worry about that when the time comes. I'll tell you right now, though, and this is between you and me, I don't intend to do nothing that's hard. I'm here on a bum rap, and I'll be damned if they're going to burn me up while I'm here."

"Aw, Hell, Al, the Dep'd not put you on anything hard. Say,

I'll bet you got the basement and one of the soft jobs. Maybe! They

might let you help Dirty. He could use some help. He could get you sm, too. Din's got pull here."

"He has? What do ya think he could do for me?"

"Well," reflecting that turning him over to Dirty might be unsuccessful so far as his own gain is concerned, "I'd better talk to him. You know him, of course. But you see, Al, you're in the 'pen' now. Things are handled differently here than outside. Leave it to me. Meanwhile, it's O. K. to send?"

"You bet! Anytime and anything. . . except that kitchen grub."

"I getcha!"

Hackett walks off. Captain Head watches him as his countenance beams with satisfaction.

Capone is enclosed by a circle of would-be-friends and prospective "connections". The rumor, spread by the Dressing-In Clerk, that he was "lousy" with hundred dollar bills, which are now on deposit in the Chief Clerk's Office, has created no end of desire for part of it.

Getting it from him? Aw, that's easy! The difficult part, they reason, is getting to him before someone else sells him your "article."

Captain Head, Captain of the Day Watch, though not over forty years old (and formerly a guard on the Georgia Chain Gang), has a most productive system of "pigeons". These "pigeons", so called because they trade "squeals" on other convicts to avoid the "hole" for a violation of the rules, are too numerous to identify. Needless to say they are not selected from the ranks of former moonshiners nor the clerical force, but chiefly from the list of dope addicts. "Snowbirds" as "finger-men" are most satisfactory to Captain Head, since he directs most of his inquiries to them. Drugs, in amazingly large quantities, find their way into the institution. A "shot" sells for as low as a carton of cigarettes. (Cigarettes, incidentally, is the medium of exchange).

Captain Head, of course, is aware that Haskethal has "propounded" Capone. . . that he has offered or agreed to feed him - - - clandestinely, of course. It is now up to Captain Head to contact one of the "C" cell house inmates - one who has been "kopt" from the hole by Captain Head for just such purposes; squealing.

With a confident feeling of success in the proposed investigation, Captain Head saunters over the stockade, creating in the minds of many inmates the wonder that someone of the many violent and desperate characters within the walls does not retaliate for punishments inflicted through Captain Head's arrests. Captain Head himself does not recommend nor inflict the punishment - - the Deputy Warden (familiarily known as Schneozle because of his long and prominent nose) does so, after the offender has been brought before him and given a "trial" or hearing. The squealer, of course, is never present at these "trials", and, unless the convict has been caught in the very act of which he stands accused, he has no chance whatsoever of evading isolation or the hole.

Isolation, it may be well to explain, is removal from the cell house in which a man is confined with his fellow prisoners, enjoying all the liberties the other prisoners are entitled to - including stockade, movies, radio and so on - to a restricted portion of the Deputy Warden's Building above the "hole". In isolation, of course, a man finds himself alone and confronted by two blank walls, a wall with an inaccessible window

and a wall in which are the double doors through which he has entered. There is also a hopper and mattressless bunk. He is not permitted to lay upon that bunk during the daytime. Should he, the guard - through a small grating in the door - orders he remove himself. In the event he does not, after two warnings, he is taken below to the "hole", where there is impenetrable darkness and no bunk.

The "hole" is a much smaller, windowless, fetid and horrible cell. One confined in the "hole" receives only bread and water twice a day. On every fifth day one full (?) meal is served. The full meal is equivalent to the regular meal served in the Dining Hall at noon. Stew, perhaps boiled rice, and raisins, and a vegetable. When a man has been in the "hole" ten days (twelve is the average), upon leaving it the ravishes of torture and misery are written on his countenance. His face is dirty and unshaven: his eyes are lost in the depths of deep, purple circles surrounding them; his weight has decreased anywhere from five to fifteen pounds - depending on the size of the man, of course - and his stomach has concluded his throat has been cut, for he is starved. Men have been known to almost strangle themselves when eating their first meal after leaving the "hole", so painfully hungry are they!

There is another punishment more drastic than either isolation or the hole, yet, not as severe in its suffering. It is known as "Segregation". A man is segregated when he has committed an unusually brutal act. . . an assault on a guard. . . an attempt to escape. . . or a murderous assault on another prisoner. These violations are frequent, but the offenders are not always subjected to this punishment.

An inmate, when in segregation, has no contact with other prisoners. He forfeits hope of being released when six, eight or twelve days have passed. He forfeits hope of again seeing the ball games, prize fights, movies or enjoying other recreational activities during his imprisonment. He is as completely segregated as though he were a leper. His meals are brought to him three times daily, and he is permitted one bath a week. Once a day he is taken from his segregation cell to an

Inclosure behind the Deputy Warden's Office (used by isolation prisoners for a daily walk) and under heavy guard permitted to walk the stiffness from his joints. After forty-five minutes he is returned to his cell and there remains until the day of his release.

It is quite important all this be fully explained since it will clarify in the mind of the reader the powerful influence Capone exerted and his participation in the punishment inflicted.

It is also appropriate at this point to mention the most dreaded punishment: loss of Good Time. When a man has but a year and a day to do, on which he has 72 days Good Time, he is as cautious to protect that 72 days as is the man who has twenty-five years to do, with 3000 days Good Time! An inmate figures his time according to the short time date (unless he makes parole). To be punished by loss of "Good Time", therefore, makes each day, after the Good Time date, seem a year. Only those who have suffered it really know how endless those 72 days can be!

However, one suffers loss of "Good Time" for violation of three rules, namely: Assaulting a Guard, Attempting or Succeeding in Escaping, and, notably, Fifty per cent of the losers are comprised of those violating the rule forbidding sodomy, both parties suffering loss of Good Time. Infrequently a man escapes from Farm No. 2, the Honor Farm adjacent to the prison.

Now bear that in mind! There is no record of an inmate having lost Good Time for any offense of a lesser nature. True, it is optional with the Warden. He can take your "Good Time". But he cannot restore it. It can only be restored. Sanford Bates, Director of Prisons, and Rogers C. Baskin, the Attorney General of the United States, must first be consulted and give their assent before they will even consider its restoration. Occasionally it is restored -- but never for the robust!

Let us return, now, to "C" cell house and see if Capone has returned. Very fortunate. Yes, he's there in the cell and he seems to be enjoying himself. And so it is! He'll draw closer and perhaps smell the food. Well, well, well, well, well! Good old salary! And how does it look? Well, well, well, well, well! A package from under his bed. It is small, wrapped in cellophane paper. He opens it. Well!

Could you guess? PIE! Hot apple pie! Um-m! We get hungry, and are just about to close our eyes in ecstasies when from the recess beneath his pillow he carefully selects about half a pound of cheese, places it on the pie and actually devours it in three bites!

We can stand no more! We swoon!

It is June 2, 1932. Capone, to our increasing wonder, is rapidly gaining ground. The ill-fitting dark blue shirt he had been issued when dressed in has been replaced by one of robin-egg blue. It fits neatly and is meticulously laundered. The blue denim pants that hung in sacks and pinches, have been cast aside and replaced by a lighter and better fitting pair. The crease in them appears as sharp as a knife. Can wonder if running his finger along them will not cut it!

We look at his shoes. Wonder of wonders! He is wearing a perfectly new pair of flopskins! The soles are hardly soiled yet. We stand back, appraisingly. We notice, then, the silver belt buckle where before had been one of tin. The slick, black, wide belt now encircling his middle cannot be but new.

And for the first time we observe he is wearing a neat, knitted black tie. It is tied in a respectable knot just below his second chin. Well, we conclude, he has certainly outdone Thurston in producing such contraband articles behind the prison walls! We knew Thurston had a "bag of tricks" and many concealed pockets. But Capone's "bag of money" is more mystifying than Thurston's bag of tricks!

As he stands before the assembled, god-worshipping, hero-idolizing leeches and parasites that surround him on stockade, he is placing bets for his fights to be fought on the fourth of July. Ten cartons here. Twenty there. . . Fifteen here. . . Five there. . . an so on. "Aw, sure. . . the money's good! Well, I wouldn't tell you it was if it wasn't, would it?"

A guard passes. He knows not whether to disperse or ignore the gamblers. He turns his head away. Better let well enough alone. But he has heard sufficient to stir his greed. Money! Who can't use it! And if he did lose Capone wouldn't expect him to pay. Besides, he may be able to do for Capone what apparently some other guard is now doing. For certainly that tie, the shoes and belt did not walk into the "pen"; nor was it dropped from a plane. Sure could use \$50.00 right now. Gosh, the wife's been griping for two months for that bedroom suite. Just enough to pay down... the rest would be easy. Gee, wouldn't she be tickled, now, getting that - - - if I win! Hell, I gotta win. I gotta win. I gotta win!

He stands uncertainly just inside the door. The 'A' cell house guard observes him, comes down from his platform, and graciously examines the slip.

"3-7?" he says to the clerk who handles all details of this nature. The clerk, already standing beside Capone, Capone's bundle slung over his shoulder, leads him up to the second tier and to 3-7.

"Say, this is a big cell," beams Capone. "How many in it?"

"Right now there's Dirty Colbeck, Dago Margulis, Carter,

Rockie, Joe McCann and one other guy --- moonshiner. Hill-billy, you know. Dirty's been trying to get him out, but hasn't been able to do it yet."

"Who's Rockie?"

"Counterfeiter from New York. Leave it to Dirty."

"Which is my bunk?" asks Capone, dropping on the nearest one.

"Here!" points the clerk.

"I'm supposed to go to work, ain't I?" Capone asks.

"Yes. But not today. You can lay off today. You go to work

tomorrow. Shoe Shop."

"Shoe Shop?" Capone echoes. "What the Hell am I going to do there?"

"Damned if I know. All I know the transfer sheet shows you're assigned to the Shoe Shop. That's over in the Laundry Building, you know. Where the dormitory is upstairs."

"Uh-huh. Bose, I guess, of Dagoes."

"Aw, there's not many in the Shoe Shop. About ten, that's

all."

"Well, tomorrow'll tell. Damned if I do any shoe shining,

Buddy! Take it from me."

"Jigs do that. They got a regular shoe mending place over there. Machines, polishers and all that. They don't make shoes, you know. The shoes we wear here and in the other joints are made in Leavenworth. All they do here is mend them. Guards and convicts, you know."

"Heluva lot I know about mending shoes," spits Capone.

"Have to get down now or the screw'll get wise," excuses the

clerk. "He's not bad, but like the others, he's gotta watch out. Somebody

"See you later, Kid," Capone calls as the clerk leaves.

"C.K., Al!"

Capone looks around. The walls are decorated with pictures of movie actresses. There's Jean Harlow's picture six times. There seems to be a demand for the platinum hair enchantress. He stares at each picture with a fascination that borders on hypnotism. A photograph disclosing her anatomy seems to hold him spellbound. He puts his hands on his hips as he examines the picture more closely. Turning his head slightly he looks into the eyes of the enigmatic Garbo. Good picture, he muses. One woman I've always wanted to meet. Wonder ---- No, not from here I couldn't write. Wife's pretty nuts about her, too.

Al, there he is! Paul Kunt! The guy what played Scarface.

Wasn't so hot, I hear. Should have paid me my price and I'd shown them some acting. Just like the damn' magazines....want a lot for nothing.

Fifty Grand for my life story. Humph!

Um-um! Even got Norma Shearer. And Janet Gaynor. Pretty

little kid, her!

He looks behind a waist-high screen and discovers a hopper. Nearby is a washbowl. Glancing upward he sees four elaborate, handmade, tawdry lampshades concealing electric light bulbs. One, more gaudy than the others, proudly swings its fringe in the slight breeze that blows in through the high windows fifteen feet away.

"What the Hell kind of place am I in?" he mumbles.

Simultaneous with his action of sitting on the bunk he hears the slamming of levers and the doors sliding open. He jumps, the thought flashing through his brain that someone's playing a joke on him. As he is about to lift the mattress to examine, men stream by, raucous voices are heard calling one to another, and he is suddenly aware that five staring men have entered the cell.

"Hello Al!" greets Colbeck. "Welcome to our little home!"

"Hello, Dinty!" warmly responds Capone. "Yes, it's a pig!"

"Hello Al," greets Dago, a broad grin spreading across his features. "You know Rockie, don't you? This is Rockie, our office boy."

Al looks down. A little fellow, not quite five feet tall.

looks up into his eyes. Hands extend and clasp.

"Glad to know you," mumbles Rockie.

"Hello Kid," beams Al, realizing that friends, no matter who and what they were beyond the walls, are valuable within them.

"Boy from the hills. . . Then that good old Tennessee hills!"

Colbeck nods towards the uninterested and uninteresting mountaineer.

"Howdy!" Al greets, extending his large hand. An expressionless face is turned upon him. Heard of him, sure! But he means nothing to the mountaineer. I'm more interested in "them that revenues snooping up the secret trails to the still back home, and ketohin Sarah."

"And Joe McCann," introduces Dinty. Al shakes the out-

stretched hand of McCann.

"Well, Dinty, still the politician smiles, "better than that

3 x 6 in C, huh?"

"You said it! Boy, even a bedbug has to back up to turn in

one of these calls."

Dinty, Dago and Rockie laugh at Capone's witicism. It is forced laughter, for they have heard the pun innumerable times, and had anyone else like the 'crack' he would have been told to put it back in its proper place.

Colbeck draws Capone to one side. They sit on Colbeck's bunk.

It is a 'lover'. There are four lovers and four uppers. Capone, though a new arrival in the cell, is given a lower - Rockie's.

"How'd you make it out?" whispers Colbeck.

"Pretty good, Lin. How's chances of getting my food in here?" asks

Capone, in stench always his direct and foremost worry.

"Gary!!" Colbeck informs him, the information accompanied by a gesture of the hand, signifying how simple it can be done.

"Getting yours?"

"Getting mine!" repeats Colbeck, louder than the conversation

warrants. "Say, that son-of-a-bitch wouldn't give me yesterday's paper!"

"You mean Frank?"

"God damn! right!"

"I thought - - -"

"Yeah, everybody thinks so. Hell, if it wasn't for him we wouldn't be here. Anyhow, don't worry about me. I make out all right.

Aint missing nothin'."

"You mean you got connections?"

"Plenty. I don't need anything from that bird!"

"Well, you're welcome to anything I got. Say, why can't he pile something on the tray for you. You know how I got it, huh?"

"With the screw's (Guard's); sure!"

"Well, why can't he just add a little? I'm paying him well

enough. I understand he's gotta pay off, too. But what's the difference?"

"Fenters?"

"That's the guy in charge of the mess?"

"Yeah," nods Colbeck.

"Some of my business, al, but just how much is he soaking

you?"

"Two grand cash in case he gets caught, and \$250.00 a month,"

casually.

"Jesusmackerers! Boy, that's stiff!"

"Not bad at all, Din, considering what I got. I order, see."

"That dirty bastard told me he was only getting \$100.00 a month.

Can you feature that? Supposed to be my pal. Supposed to be, get me? I'm

a son of a sea cook!"

"But Din," placates Capone, "he's gotta pay Fenters. He

doesn't get the money direct, you know. It goes to his sister. She takes care of Fenters. Now I understand the guard'll have to get a slice of it.

He didn't tell me that before. But when I told him yesterday that this month's two fifty was paid, he mentioned something about the guard down there --- in the cell house, you know --- getting him. He's supposed to know it's hidden in his box when he gets his mail. The clerk knows it, too, see? And I've been slipping him some smokes. He just told me yesterday he's got a sick wife, and wants to know if I'll have some money sent to her so she can go to the hospital. Of course, Din, I don't give a damn what it costs. I want it, see?"

Dinty, by the broad smile wreathing his lips, acknowledges he 'sees'. Capone's smile has been replaced by a troubled frown. True, the money part doesn't worry him. But the thought that Dinty and Backethal are not what Backethal convinced Al they were --- the best of friends --- disturbs Capone.

"Tell you what, Al. Take it easy. I don't meddle with anyone's business. I got 25 years to do, you know. I ain't going to lose no good time if I can help it, and a guy never knows what these connections wind up in. If he sends anything for me, O.K. If not, O.K. too!"

"What I got you can share," offers Capone.
"Right, Al. Got to go now. Start the radio for these crooks.
They can't eat at noon without music. See you again!"

With a wave of the hand Colbeck pulls open the iron door (which on this particular cell is never locked because of his coming and going at all hours of the day), strides down the range, and out of sight.

"How are you making it? Settled?"
Capone, taken by surprise as he whispers to Dago, looks up and sees the cell house guard in the doorway. He smiles in a friendly way. Dago winks approval and Capone comprehends the guard is "on the make".

"Fine! Fine! Come in!"
"Only got a minute. Just wanted to see if you got settled, that's all."

"Everything dandy!" says Capone.
The guard walks away. The ice has been broken.